

April 23, 2009

**By Overnight Mail**

Honorable Cecelia G. Morris  
United States Bankruptcy Court  
Southern District of New York  
355 Main Street  
Poughkeepsie, NY 12601-3315

**RE: Obayashi Corporation and Peck/Jones-Obayashi v. Alan G. Friedberg  
Adv. Pro. No. 08-9064 (CGM)**

Dear Judge Morris:

This firm is counsel to Plaintiffs Obayashi Corporation and Peck/Jones Obayashi.

We write pursuant to Local Bankruptcy Rule 7007-1(b) and pursuant to Paragraph 2 of Your Honor's Scheduling Order in order to request an informal discovery conference.

The parties have a disagreement related to the defendant's objections to plaintiffs' interrogatories.

A copy of the Plaintiffs' First Set of Interrogatories is annexed as **Exhibit 1**.

A copy of Defendant's Answers & Objections to Plaintiff's First Set of Interrogatories is annexed as **Exhibit 2**.

A copy of plaintiffs' letter to defendant's counsel requesting that the objections be withdrawn is annexed as **Exhibit 3**.

The defendant maintains that the plaintiffs should obtain the information requested by deposition, rather than by interrogatories.

The plaintiffs maintain that they may obtain the interrogatory answers in advance of the defendant's deposition, especially since the parties appear to be in agreement that it would not be impractical for the defendant to answer the interrogatories.

Counsel have conferred in good faith but have been unable to resolve this issue.

We therefore respectfully request an informal conference with the Court.

Respectfully,

*s/Lon J. Seidman*

Lon J. Seidman

LJS/mbw  
Enclosure

cc: Michael Pinsky, Esq. *(by fax and regular U.S. Mail)*  
Jeanne Jorgensen, Esq. *(by fax and regular U.S. Mail)*